

HOUSE BILL No. 1038

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-49-3-3.

Synopsis: Restrictions on viewing materials harmful to minor. Prohibits a person from permitting a child to enter an area where material that is harmful to minors is present. (Current law permits entry if the child is with a parent or guardian.)

Effective: July 1, 2001.

Smith V, Becker, Klinker

January 8, 2001, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 35-49-3-3 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. A person who
- 3 knowingly or intentionally:
- 4 (1) disseminates matter to minors that is harmful to minors;
- 5 (2) displays matter that is harmful to minors in an area to which
- 6 minors have visual, auditory, or physical access; ~~unless each~~
- 7 ~~minor is accompanied by his parent or guardian;~~
- 8 (3) sells or displays for sale to any person matter that is harmful
- 9 to minors within five hundred (500) feet of the nearest property
- 10 line of a school or church;
- 11 (4) engages in or conducts a performance before minors that is
- 12 harmful to minors;
- 13 (5) engages in or conducts a performance that is harmful to
- 14 minors in an area to which minors have visual, auditory, or
- 15 physical access, unless each minor is accompanied by his parent
- 16 or guardian;
- 17 (6) misrepresents his age for the purpose of obtaining admission

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1 to an area from which minors are restricted because of the display
2 of matter or a performance that is harmful to minors; or
3 (7) misrepresents that he is a parent or guardian of a minor for the
4 purpose of obtaining admission of the minor to an area where
5 minors are being restricted because of ~~display of matter or a~~
6 performance that is harmful to minors;
7 commits a Class D felony.

8 SECTION 2. [EFFECTIVE JULY 1, 2001] **IC 35-49-3-3, as**
9 **amended by this act, applies only to crimes committed after June**
10 **30, 2001.**

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